

**Cherokee County Zoning Board of Appeals  
Public Hearing Minutes  
Thursday, August 14, 2014  
6:30 p.m.**

**Approved 9-04-2014**

The Cherokee County Zoning Board of Appeals held its regularly scheduled meeting on Thursday, August 14, 2014 in Cherokee Hall of the Cherokee County Administration Building. In attendance for the Zoning Board of Appeals were Chairman Elizabeth Semler, Roy Taylor, Bill Dewrell and Melissa Range. Cindy Castello was not in attendance. In attendance for Cherokee County Staff were Vicki Taylor Lee, Zoning Administrator, Tamala Davis, Planning Technician and Paul Frickey, County Attorney.

The meeting was called to order at 6:30 p.m.

**Case 14-08-015V** Canton TM Holdings, LLC requesting a variance to Chapter 5, Section 5.1(2) of the Cherokee County Development Regulations. The applicant is requesting to encroach 2,500 square feet into the 75 foot impervious stream bank buffer. The property is located at 300 Spring Drive in Land Lot 273 of the 14<sup>th</sup> District and further described as Cherokee County Tax Map 14N30, Parcel 061.

Vicki Lee presented this case. Ms. Lee discussed staff comments, location of property, gave adjacent zoning and noted she has received no letters in support of or in opposition to the requested variance.

Taylor Weaver represented this case. Mr. Weaver stated that staff covered all information and details regarding this variance and had no further information.

Ms. Semler asked if there was anyone in support or in opposition to this application. There being none, she closed public comment.

Mr. Taylor made a motion to approve the encroachment into the 75 foot impervious stream bank buffer for the amount shown in the house layout plan submitted by the applicant with no further encroachment into the buffer. Seconded by Mr. Dewrell. Unanimous approval.

**Case 14-08-016V** David Cox requesting a variance to Article 7, Section 7 of the Cherokee County Zoning Ordinance. The applicant is requesting a variance to allow a covered arena 23 feet from the south and east property lines. The property is located at 600 Gantt Road in Land Lots 227, 278 of the 2<sup>nd</sup> District and further described as Cherokee County Tax Map 02N07, Parcel 059A.

Staff stated this case was withdrawn by the applicant.

**Case 14-08-017V** Metropolis Homes, Inc. requesting a variance to Article 7, Table 7.1.4 of the Cherokee County Zoning Ordinance. The applicant is requesting a 3 foot variance to allow for a 17 foot front building setback. The property is located at 305 Cherokee Reserve Court in Land Lot 246 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N26F, Parcel 012.

Vicki Lee presented this case. Ms. Lee discussed staff comments, location of property, gave adjacent zoning and noted she has received no letters in support of or in opposition to the requested variance.

Jason Yowell represented this case. Mr. Yowell stated he did not have anything further to add.

Ms. Semler asked if there was anyone in support of or in opposition to this variance request. There being none, she closed public comment.

Mr. Taylor made a motion to approve this application with two conditions: (1) that no part of the home is permitted to encroach into the 17 feet and (2) the rear buffer is to remain undisturbed. Seconded by Mr. Dewrell. Unanimous approval.

**Case 14-08-018V** Amanda Woodruff requesting a variance to Article 16, Section 16.1 of the Cherokee County Zoning Ordinance. The applicant is requesting a variance to the color and architectural features of the building. The property is located at 1265 Highway 92 in Land Lot 1243 of the 21<sup>st</sup> District and further described as Cherokee County Tax Map 21N06, Parcel 005J.

Vicki Lee presented this case. Ms. Lee discussed staff comments, location of property, gave adjacent zoning and noted she has received no letters in support of or in opposition to the requested variance.

Edward Copela represented this case. Mr. Copela stated Ms. Woodruff could not make the meeting tonight so he is filling in for her. Mr. Copela stated they are requesting this variance to the color and architectural features to match the Dunkin' Donuts signature color and architecture. Mr. Copela noted that other structures in the vicinity of the subject property that predated the requirements would not meet the design criteria if the design criteria were applicable to them.

Ms. Semler asked if there was anyone to speak in support or in opposition to this application. There being none, she closed public comment.

Ms. Range made a motion to approve. Seconded by Mr. Taylor. Unanimous approval.

**Case 14-08-019V** John Edwards requesting a variance to Article 5, Section 5.6 of the Cherokee County Zoning Ordinance. The applicant is requesting a variance to allow a detached garage forward of the face of the home. The property is located at 1620 Flatbottom Road in Land Lots 354, 355 of the 3<sup>rd</sup> District and further described as Cherokee County Tax Map 03N02, Parcel 037U.

Vicki Lee presented this case. Ms. Lee discussed staff comments, location of property, gave adjacent zoning and noted she has received no letters in support of or in opposition to the requested variance.

John Edwards represented this case. Mr. Edwards presented pictures of the proposed garage to the Board members. He stated the garage will match the home and his neighbors will not be able to see the garage.

Ms. Semler asked if there was anyone in support of or in opposition to this application. There being none, she closed public comment.

Mr. Taylor stated that the site location submitted with the application may not be meeting setback requirements and informed the applicant that these setbacks will need to be met.

Ms. Semler made a motion to approve. Seconded by Ms. Range. Unanimous approval.

**Case 14-08-020V Mountain Express Oil Co.** requesting a variance to Article 7, Table 7.1A of the Cherokee County Zoning Ordinance. The applicant is requesting a variance of 13 feet to allow 62 foot front building setback on canopy footings. The property is located at 6114 Hickory Flat Highway in Land Lots 253, 254, 323 and 324 of the 15<sup>th</sup> District and further described as Cherokee County Tax Map 15N26, Parcel 131.

Staff stated this case was withdrawn by the applicant.

The last item on the agenda was the approval of June 5, 2014 Minutes and July 10, 2014 Minutes. Mr. Dewrell made a motion to approve the June Minutes. Seconded by Ms. Semler. Unanimous approval.

The approval of the July 10, 2014 minutes was postponed until September Public Hearing since Ms. Castello was not in attendance tonight.

Ms. Semler made a motion to adjourn, Seconded by Mr. Taylor. Unanimous approval. Meeting adjourned at 6:55 p.m.